



City of Pembroke Pines



Frank C. Ortis, Mayor
Carl Shechter, Vice-Mayor
Charles F. Dodge, City Manager

Angelo Castillo, Commissioner
Jay Schwartz, Commissioner
Iris A. Siple, Commissioner

August 25, 2016

Environmental Protection Agency
Region 4
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-3104

Re: City of Pembroke Pines, Florida
Resolution No. 3509, DEP restrictions on toxic chemicals

Attached please find a copy of Resolution No. 3509 of the City of Pembroke Pines, Broward County, Florida, adopted by the City Commission at their meeting of August 17, 2016. Resolution No. 3509:

- Affirming the City's opposition to the Department of Environmental Protection's weakening of restrictions that would allow an increase in the release of toxic chemicals into Florida's waters; urging the United States Environmental Protection Agency not to approve the Florida Department of Environmental Protection's new restrictions; supporting the lawsuit filed by the Seminole Tribe of Florida against the Department of Environmental Protection ("DEP") and the Florida Environmental Regulation Commission ("FERC") on August 5, 2016 to halt the increase of toxins in Florida's water; opposing any effort by the DEP or the FERC to oppose the Seminole litigation;*

Sincerely,
CITY OF PEMBROKE PINES, FL

Marlene D. Graham, CMC
City Clerk

Enclosure

PROPOSED RESOLUTION NO. 2016-R-30

RESOLUTION NO. 3509

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A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AFFIRMING THE CITY'S OPPOSITION TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION'S WEAKENING OF RESTRICTIONS THAT WOULD ALLOW AN INCREASE IN THE RELEASE OF TOXIC CHEMICALS INTO FLORIDA'S WATERS; URGING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY NOT TO APPROVE THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S NEW RESTRICTIONS; SUPPORTING THE LAWSUIT FILED BY THE SEMINOLE TRIBE OF FLORIDA AGAINST THE DEPARTMENT OF ENVIRONMENTAL PROTECTION ("DEP") AND THE FLORIDA ENVIRONMENTAL REGULATION COMMISSION ("FERC") ON AUGUST 5, 2016 TO HALT THE INCREASE OF TOXINS IN FLORIDA'S WATER; OPPOSING ANY EFFORT BY THE DEP OR THE FERC TO OPPOSE THE SEMINOLE LITIGATION; DIRECTING THE APPROPRIATE CITY OFFICIALS TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, THE FLORIDA LEAGUE OF CITIES AND THE BROWARD LEAGUE OF CITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Environmental Protection is Florida's lead agency for environmental management and has obligations that include protecting Florida's air, water, and land pursuant to Chapter 403, Florida Statutes; and

WHEREAS, on July 26, 2016, the Environmental Regulation Commission voted to approve a proposal from the Florida Department of Environmental Protection that would weaken the restrictions on the allowable levels of more than

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two dozen toxic chemicals that may be released in Florida's lakes, streams, and coastal waters through revisions to Chapters 62-302 and 62-303 of the Florida Administrative Code; and

WHEREAS, the approval of these restrictions would enable oil and gas drilling companies (including fracking operations), dry cleaning companies, pulp and paper producers, nuclear plants, wastewater treatment plants and other waste producers, to increase the amounts of cancer-causing toxins that they release in Florida's waterways; and

WHEREAS, the new restrictions include increasing the allowable levels of Benzene in Florida's drinking water, which is a cancer-causing petroleum byproduct used in hydraulic fracking and that has been known to cause leukemia, and increasing the allowable levels of Dioxin, in Florida's water supply that has been linked to cancer, damage to the skin and liver, as well as nervous, immune and reproductive system damage; and

WHEREAS, according to the Orlando Sentinel, Florida State Senator Miguel Diaz de la Portilla called for the Environmental Regulation Commission to reconsider its decision stating "I cannot understand how allowing for the increase of not one but multiple known cancer-causing agents in our waterways throughout the state makes any logical sense;" and

WHEREAS, according to the Naples Daily News, Dr. Ron Staff, a Tallahassee allergist and immunologist, voiced his opposition to the new standards stating that

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"the Department of Environmental Protection should be pushing for even more stringent criteria than what we have now rather than trying to weaken them. Your job is to protect Floridians, not to poison us;" and

WHEREAS, according to the Miami Herald, environmentalists argue that the Florida Department of Environmental Protection's cancer risk measurement would allow for toxin levels that would increase the number of cancer victims to 1 in 100,000 people or in cases of people who eat fish daily, 1 in 10,000, whereas United States Environmental Protection Agency standards allow for toxin levels that could cause cancer in 1 in a million people; and

WHEREAS, the standards approved by the Environmental Regulation Commission on July 26, 2016, will now go to the United States Environmental Protection Agency for final review and approval; and

WHEREAS, the City Commission finds that opposing the Florida Department of Environmental Protection's weakening of restrictions that would allow an increase in the release of toxic chemicals into Florida waters is in the best interest of the health, safety, welfare and economics of the citizens and residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AS FOLLOWS:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.